

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

----- x
PETROCHOICE HOLDINGS, INC. :
Plaintiff, : CIVIL ACTION
: :
- against - : No. 19-6152-JMG
: :
FRANCIS S. OROBONO, JR., :
: :
Defendant. :
----- :
: x

JOINT STATUS REPORT

PetroChoice Holdings, Inc. (“PetroChoice” or “Plaintiff”) and Francis S. Orobono, Jr. (“Orobono” or “Defendant”), by and through their undersigned attorneys, hereby submit this Joint Status Report and state as follows:

1. PetroChoice filed two motions on June 1, 2021 – a motion for sanctions for spoliation of evidence and a motion for summary judgment. The Court has not ruled on either of these motions.
2. The parties proceeded to mediation on June 2, 2021; the case did not settle.
3. This Honorable Court subsequently conducted a joint status conference with the parties on June 22, 2021, at which time it rescheduled the trial date in this matter from August 13, 2021 to February 28, 2022 due to PetroChoice’s counsel’s imminent maternity leave.
4. The Parties’ counsel have been in regular communication with the special discovery master appointed by the Court, Dennis Suplee, since mid-July.
5. Mr. Suplee has not yet resolved the remaining discovery issues between the Parties at their request, with the hope the parties could settle the dispute.

6. Plaintiff and an interested non-party have reached a tentative agreement that would serve as part of the settlement between Plaintiff and Defendant. PetroChoice relayed a settlement demand last week, which was declined by Defendant. Defendant relayed a counter-offer, which was declined by Plaintiff. At present, it appears the parties are at a stand-still with regard to settlement negotiations, but attempts will be made to continue the conversation.

Dated this 3rd day of November, 2021.

Respectfully Filed By,

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Jon Jay Olafson

Steven D. Urgo, ID No. 62773
550 E. Swedesford Road, Suite 270
Wayne, Pennsylvania 19087
Telephone: 215.977.4078
steven.урго@lewisbrisbois.com

Jon Jay Olafson
1700 Lincoln Street, Suite 4000
Denver, CO 80203
Telephone: 303.861.7760
Jon.Olafson@lewisbrisbois.com

Kayla Dawn Dreyer
1700 Lincoln Street, Suite 4000
Denver, CO 80203
Telephone: 303.861.7760
Kayla.Dreyer@lewisbrisbois.com
Attorneys for Plaintiff PetroChoice Holdings, Inc.

LAMB McERLANE PC

s/Mary-Ellen H. Allen

Joel L. Frank
I.D. No. 46601
Mary-Ellen H. Allen
I.D. No. 83885
24 East Market Street
Post Office Box 565
West Chester, PA 19381-0565
610-430-8000
jfrank@lambmcerlane.com
mallen@lambmcerlane.com

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of November, 2021, the undersigned served the foregoing Joint Status Report upon counsel via ECF:

Joel L. Frank
Lamb McErlane PC
24 East Market Street
P.O. Box 565
West Chester, PA 19381-0565
jfrank@lambmcerlane.com

Mary-Ellen H. Allen
Lamb McErlane PC
24 East Market Street
P.O. Box 565
West Chester, PA 19381-0565
mallen@lambmcerlane.com
mallen@chescolaw.com

/s/ John Jay Olafson
*A duly signed original is on file at the
Law Offices of LEWIS BRISBOIS*